

Message Text

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ORIGIN EB-07

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TO ALL OECD CAPITALS PRIORITY

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E.O. 11652: N/A

TAGS: EAGR, ETRD

SUBJECT: FDA ANNOUNCEMENT CONCERNING REGULATION OF
INGREDIENT LABELING OF ALCOHOLIC BEVERAGES

REF: STATE 269971; STATE A-6981

1. BY NOTICE IN THE FEDERAL REGISTER, PUBLISHED NOVEMBER
24, 1975 THE FOOD AND DRUG ADMINISTRATION (FDA) ANNOUNCED
THAT IT HAS TERMINATED EFFECTIVE DECEMBER 19, 1975 ITS
MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF ALCOHOL,
TOBACCO AND FIREARMS (ATF) WHICH DEFERRED TO ATF THE
RESPONSIBILITY OF REGULATING THE LABELING OF ALCOHOLIC
BEVERAGES UNDER THE MORE SPECIFIC AUTHORITY OF THE FEDERAL
ALCOHOL ADMINISTRATION ACT. TERMINATION IS A RESULT OF
ATF'S DECISION NOT TO REQUIRE INGREDIENT LABELING FOR
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ALCOHOLIC BEVERAGES (SEE REFTTEL).

2. BY FURTHER NOTICE PUBLISHED SAME DATE FDA ADVISES MANUFACTURERS AND OTHER AFFECTED PERSONS THAT FDA WILL TAKE REGULATORY ACTION TO ENFORCE THE FOOD LABELING REQUIREMENTS OF THE FEDERAL FOOD, DRUG AND COSMETIC ACT, AND REGULATIONS PROMULGATED THEREUNDER, IN RESPECT TO ALCOHOLIC BEVERAGES SHIPPED IN INTERSTATE COMMERCE AFTER JANUARY 1, 1977. THE NOTICE ADVISES THAT THE ACT REQUIRES THAT LABELS OF ALL FOODS, INCLUDING ALCOHOLIC BEVERAGES, BEAR A STATEMENT OF INGREDIENTS. FOOD IS DEFINED IN THE ACT TO INCLUDE -ARTICLES USED FOR FOOD OR DRINK FOR MAN OR OTHER ANIMALS". THE FDA CITES COURT PRECEDENT FOR ESTABLISHING THAT FOOD INCLUDES ALCOHOLIC BEVERAGES.

3. BOTH NOTICES BEING FORWARDED BY AIRGRAM. POSTS WILL BE KEPT INFORMED OF DEVELOPMENTS AS THEY OCCUR. KISSINGER

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